

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STATE OF NEW YORK, STATE OF ILLINOIS, STATE OF
MARYLAND, STATE OF WASHINGTON,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

Defendant.

07 Civ. 8621 (PAC)

ECF CASE

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MORGANNE MILES, by her mother KRYSTAL TITUS;
OLIVIA MILES, by her mother KRYSTAL TITUS;
PASCALE MOSSIN, by her mother AMY MARGARET
MCCUTCIN; THEO CHAN, by his father SUNNY CHAN;
LEAH CHAN, by her father, SUNNY CHAN,

Plaintiffs,

v.

MICHAEL O. LEAVITT, Secretary, United States Department
of Health and Human Services,

Defendant.

08 Civ. 432 (PAC)

ECF CASE

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Scheduling ORDER on Motions

The defendant's motions to dismiss and the plaintiffs' summary judgment motions in these related matters shall be briefed pursuant to the following schedule and page limitations:


1. The defendant's motions to dismiss in both cases are due on or before March 17, 2008. The defendant shall be limited to 40 pages with respect to the state plaintiffs' case (07 Civ. 8621) and shall be limited to 5 pages (addressed to the issue of standing) in the individual plaintiffs' case (08 Civ. 432).

2. Plaintiffs in both cases shall file their respective oppositions to defendant's motions to dismiss, as well as their respective motions for summary judgment, on or before April 16, 2008. The state plaintiffs shall be limited to a total of 60 pages for both filings. The individual plaintiffs shall be limited to 5 pages to address the issue of standing, plus 15 pages to address any other issues.

3. All *amicus* briefs are to be filed on or before April 23, 2008. The State of Massachusetts is limited to 25 pages with respect to its *amicus* brief, and California, Connecticut, and New Mexico are limited to 20 pages each. Counsel for Healthcare Association of New York State is limited to 20 pages for its *amicus* brief. The Council of the City of New York is limited to 15 pages for its *amicus* brief.

4. The defendant shall file its reply and opposition papers on or before May 9, 2008, and shall be limited to 45 pages in total.

5. All plaintiffs shall file their reply papers on or before May 30, 2008. The state plaintiffs shall be limited to 25 pages and the individual plaintiffs shall be limited to 15 pages.

SO ORDERED: FEB 13 2008


HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE